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10 **UNITED STATES BANKRUPTCY COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION**
12

13 In re

14 JAMES WESLEY FOWLER and TERESA
15 MARIE FOWLER,

16 Debtors.

Case No. 14-43816 RLE

Chapter 13

R.S. No. RPZ-228

**MOTION FOR RELIEF FROM
AUTOMATIC STAY**

Hearing:

Date: April 19, 2017

Time: 1:30 p.m.

Place: 201
1300 Clay Street
Oakland, CA 94612

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22 Wells Fargo Bank, N.A. ("Movant or Creditor")¹ will and hereby does move, pursuant to
23 11 U.S.C. § 362(d) and Rule 4001 of the Federal Rules of Bankruptcy Procedure, for an order
24 terminating the automatic stay of 11 U.S.C. § 362(a) as it applies to Movant and the real property
25 located at 3722 Sailboat Dr, Discovery Bay, California 94514-1752 ("Property").

26 ¹ This Motion for Relief from Automatic Stay shall not constitute a waiver of the within party's right to receive
27 service pursuant to Fed. R. Civ. P. 4, made applicable to this proceeding by Fed. R. Bankr. P. 7004, notwithstanding
28 Aldridge Pite, LLP's participation in this proceeding. Moreover, the within party does not authorize Aldridge Pite,
LLP, either expressly or impliedly through Aldridge Pite, LLP's participation in this proceeding, to act as its agent
for purposes of service under Fed. R. Bankr. P. 7004.

1 Debtor(s) executed a promissory note secured by a mortgage or deed of trust. The
2 promissory note is either made payable to Creditor or has been duly indorsed. Creditor, directly
3 or through an agent, has possession of the promissory note. Creditor is the original mortgagee or
4 beneficiary or the assignee of the mortgage or deed of trust.

5 This Motion is based on the Notice of Motion for Relief from Automatic Stay,
6 Memorandum of Points and Authorities in Support of Motion for Relief from Automatic Stay,
7 and Declaration in Support of Motion for Relief from Automatic Stay filed concurrently
8 herewith, the pleadings and papers on file herein, and upon such oral and documentary evidence
9 as may be presented by the parties at the hearing.

10 ALDRIDGE PITE, LLP

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12 Dated: March 28, 2017

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ROBERT P. ZAHRADKA
Attorneys for Movant Wells Fargo Bank, N.A.